

CITY OF CARMEL-BY-THE-SEA  
PLANNING COMMISSION

PLANNING COMMISSION RESOLUTION NO. 2024-026-PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA  
APPROVING A DESIGN REVIEW AND ASSOCIATED COASTAL DEVELOPMENT PERMIT FOR THE  
CARMEL LEGACY HOTEL LOCATED ON SAN CARLOS STREET 2 NORTHWEST OF 4<sup>TH</sup> AVENUE  
APN: 010-124-001-000 and 010-124-014-000

WHEREAS, on March 12, 2024, Eric Miller Architects, Inc. (“Applicant”) submitted a Design Review application DR 24-059 (Hofsas House, Inc.) described herein as (“Application”) on behalf of Hofsas House, Inc. (“Owner”) for the Carmel Legacy Hotel, conversion of the historic Donna Hofsas House from a manager’s unit to two apartments, and the addition of accessory uses both within the hotel and the historic house; and

WHEREAS, the Application has been submitted for two legal lots of record totaling 36,200 square feet located on San Carlos Street 2 northwest of 4<sup>th</sup> Avenue in the Residential and Limited Commercial (RC) District (Block 34, Lots 1, 3, 5, por. of 7, por. of 8, 9, 10, por. of 11, 12, 14); and

WHEREAS, the Applicant is requesting to demolish the Hofsas House Hotel, an approximately 15,762-square-foot 38-room hotel, and construct the Carmel Legacy Hotel, a 32,466-square-foot 38-room hotel, convert the historic Donna Hofsas House from a managers unit to two apartments, and establish hotel-related accessory uses; and

WHEREAS, in accordance with Carmel Municipal Code (CMC) Section 17.58.030 (Commercial Design Review), new construction, alterations, rebuilds, additions, and demolitions require approval of a Residential Track Two Design Study by the Planning Commission; and

WHEREAS, a Coastal Development Permit is also required in accordance with CMC 17.52.090 (Coastal Development Permit Required); and

WHEREAS, on January 26<sup>th</sup> and October 18<sup>th</sup>, 2023, the applicant and the hotel owner/operator hosted two meetings with the community, and on May 17<sup>th</sup> and May 25<sup>th</sup>, 2023, hosted two meetings with the Carmel Chamber of Commerce to present the project to the community and solicit feedback; and

WHEREAS, on February 2, 2023, the applicant submitted Conceptual Review application CR 23-097 (Hofsas House, Inc.) for the demolition of the Hofsas House Hotel and construction of a new hotel known as the Carmel Legacy Hotel; and

WHEREAS, on December 13, 2023, a conceptual design of the project was presented to the Planning Commission, and feedback received from the public and the Commission was incorporated into the project; and

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WHEREAS, on December 18, 2023, the Historic Resources Board issued a Determination of Ineligibility for the Hofsas House Hotel, finding it did not meet the criteria for listing as a historic resource; and

WHEREAS, also on December 18, 2023, the Historic Resources Board issued a Determination of Eligibility for the Donna Hofsas House, finding it met the criteria for listing as a historically significant building; and

WHEREAS, on March 29, 2024, a notice of the public hearing scheduled for April 10, 2024, was published in the Carmel Pine Cone in compliance with State law (California Government Code 65091) and mailed to owners of real property within a 300-foot radius of the project indicating the date and time of the public hearing; and

WHEREAS, on or before March 31, 2024, the Applicant posted the public notice on the project site and hand-delivered a copy of the public notice to each property within a 100-foot radius of the project site indicating the date and time of the public hearing; and

WHEREAS, on or before April 5, 2024, the meeting agenda was posted in three locations in compliance with State law indicating the date and time of the public hearing; and

WHEREAS, on April 10, 2024, the Planning Commission held a duly noticed public hearing to receive public testimony regarding the commercial design review, including, without limitation, the information provided to the Planning Commission by City staff and through public testimony on the final design of the project; and

WHEREAS, the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA"), together with State Guidelines (14 California Code Regulations §§ 15000, *et seq.*, the "CEQA Guidelines") and City Environmental Regulations (CMC 17.60) require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

WHEREAS, the Planning Commission found that pursuant to CEQA regulations, the Application is categorically exempt under Section 15332 (Class 32) – Infill Development Projects, and no exceptions to the exemption exist pursuant to section 15300.2 of the CEQA Guidelines; and

WHEREAS, this Resolution and its findings are made based upon the evidence presented to the Commission at the hearing date, including, without limitation, the staff report and attachments submitted by the Community Planning and Building Department; and

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WHEREAS, the Planning Commission did hear and consider all said reports, attachments, recommendations, and testimony herein above set forth and used their independent judgment to evaluate the project; and

WHEREAS, the facts set forth in the recitals are true and correct and are incorporated herein by reference.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Carmel-By-The-Sea does hereby make the following findings and determinations regarding the **Commercial Design Review**:

<b>FINDINGS REQUIRED FOR DESIGN STUDY APPROVAL</b>		
For each of the required findings listed below, the staff has indicated whether the application supports adopting the findings, either as proposed or with conditions. For all findings checked "no," the staff report discusses the issues to facilitate the Planning Commission's decision-making. Findings checked "yes" may or may not be discussed in the report, depending on the issues.		
<b>CMC 17.58.060 Design Review Approval Findings</b>	<b>YES</b>	<b>NO</b>
Conforms to the applicable policies of the General Plan and the Local Coastal Program.	✓	
Complies with all applicable provisions of Carmel Municipal Code.	✓	
Is consistent with applicable adopted design review guidelines.	✓	

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Carmel-By-The-Sea does hereby make the following findings and determinations regarding the **Coastal Development Permit**:

<b>FINDINGS REQUIRED FOR COASTAL DEVELOPMENT PERMITS</b>		
For each of the required findings listed below, the staff has indicated whether the application supports adopting the findings, either as proposed or with conditions. For all findings checked "no," the staff report discusses the issues to facilitate the Planning Commission's decision-making. Findings checked "yes" may or may not be discussed in the report, depending on the issues.		
<b>CMC 17.64.010.B, Coastal Development Permits</b>	<b>YES</b>	<b>NO</b>
1. The project, as described in the application and accompanying materials, as modified by any conditions of approval, conforms with the certified City of Carmel-by-the-Sea Local Coastal Program.	✓	
2. If the project is located between the first public road and the sea, the project conforms with the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Sections <a href="#">30200</a> of the Public Resources Code).	✓	

**BE IT FURTHER RESOLVED** that the Planning Commission of the City of Carmel-by-the-Sea does hereby APPROVE the Commercial Design Review application DR 24-059 (Hofsas House, Inc.)

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to demolish the Hofsas House Hotel, an approximately 15,762-square-foot 38-room hotel, and construct the Carmel Legacy Hotel, a 32,466-square-foot 38-room hotel, convert the historic Donna Hofsas House from a managers unit to two apartments, and establish hotel-related accessory uses located on San Carlos Street 2 northwest of 4<sup>th</sup> Avenue (Block 34, Lots 1, 3, 5, por. of 7, por. of 8, 9, 10, por. of 11, 12, 14, APN 010-124-001 and 010-124-014), subject to the following Conditions of Approval:

<b>CONDITIONS OF APPROVAL</b>	
<b>No.</b>	<b>Standard Conditions</b>
1.	<p><b>Authorization.</b> This approval of Design Review application DR 24-059 (Hofsas House, Inc.) authorizes the demolition of the 38-room Hofsas House Hotel, construction of the 38-room Carmel Legacy Hotel, and conversion of the historic Donna Hofsas House from a manager’s unit to two apartments. The project site is located on San Carlos Street 2, southwest of 4<sup>th</sup> Avenue in the Residential and Limited Commercial (RC) District as depicted in the plans prepared by Eric Miller Architects approved by the Planning Commission on April 10, 2024, and stamped approved and on file in the Community Planning &amp; Building Department unless modified by the conditions of approval contained herein.</p> <p>This Design Review approval does not include any exterior modifications to the historic Donna Hofsas House. Any exterior change to the historic Donna Hofsas House shall be submitted under a separate Design Review application to the Community Planning and Building Department and shall comply with Carmel Municipal Code Chapter 17.32 (Historic Preservation).</p>
2.	<p><b>Codes and Ordinances.</b> The project shall be constructed in conformance with all requirements of the Residential &amp; Limited Commercial (RC) District and Archaeological Significance (AS) Overlay District. All adopted building and fire codes shall be adhered to when preparing the working drawings. If any codes or ordinances require design elements to be changed, or if any other changes are requested when such plans are submitted, such changes may require additional environmental review and subsequent approval by the Planning Commission.</p>
3.	<p><b>Permit Validity.</b> In accordance with CMC Section 17.52.170 (Time Limits on Approvals and Denials), a commercial design review approval remains valid for 18 months from the date of action. The project must be implemented during this time, or the approval becomes void. Implementation is effected by erecting, installing, or beginning the installation of the improvement authorized by the permit, as determined by the Director. Extensions to this approval may be granted consistent with CMC 17.52.170.C.</p>
4.	<p><b>Water Use.</b> Approval of this application does not permit an increase in water use on the project site without adequate supply. Should the Monterey Peninsula Water Management District determine that adequate water is unavailable for this site, this permit will be scheduled for reconsideration, and appropriate findings will be prepared for review and adoption by the Planning Commission.</p>

5.	<p><b>Setback and Height Certifications.</b> A State licensed surveyor shall survey and certify the following in writing:</p> <ul style="list-style-type: none"> <li>• The footing locations are in conformance with the approved plans prior to footing/foundation inspection;</li> <li>• The roof heights and plate heights of each building are in conformance with the approved plans prior to the roof sheathing inspection. Roofs and plates shall not exceed the elevation points as identified in the approved project plans, and the roofs include an appropriate allowance for roofing material thickness.</li> </ul> <p>Written certifications prepared, sealed, and signed by the surveyor shall be provided prior to footing/foundation inspection and roof sheathing inspection. In the event that multiple footing/foundation pours are required, a survey letter shall be submitted for each separate section.</p>
6.	<p><b>Service Laterals.</b> Prior to final inspection, all electrical service laterals to any new building or structure, or to any building or structure being remodeled when such remodeling requires the relocation or replacement of the main service equipment, shall be placed underground on the premises upon which the building or structure is located. Undergrounding will not be required when the project valuation is less than \$200,000, or the City Forester determines that undergrounding will damage or destroy significant trees(s) (CMC 15.36.020).</p>
7.	<p><b>Utility Meter Locations.</b> The placement of all utility meters shall be screened from public view to the satisfaction of the Community Planning &amp; Building Director. Before changing the location of any utility meter, the Community Planning and Building Director or designee must give written approval.</p>
8.	<p><b>Modifications.</b> The Applicant shall submit in writing, with revised plans, to the Community Planning and Building staff any proposed changes to the approved project plans prior to incorporating those changes. If the Applicant changes the project without first obtaining City approval, the Applicant will be required to submit the change in writing, with revised plans, within two weeks of the City being notified. A cease work order may be issued at any time at the discretion of the Director of Community Planning and Building until a) either the Planning Commission or Staff has approved the change, or b) the property owner has eliminated the change and submitted the proposed change in writing, with revised plans, for review. The project will be reviewed for its compliance with the approved plans prior to the final inspection.</p>
9.	<p><b>Exterior Revisions to Planning Approval Form.</b> All proposed modifications that affect the exterior appearance of the building or site elements shall be submitted on the "Revisions to Planning Approval" form on file in the Community Planning and Building Department. Any modification incorporated into the construction drawings not listed on this form shall not be deemed approved upon issuance of a building permit.</p>
10.	<p><b>Conflicts Between Planning Approvals and Construction Plans.</b> It shall be the responsibility of the Owner, Applicant, and Contractor(s) to ensure consistency between the project plans approved by the Planning Staff, the Planning Commission, or the City Council on appeal and the construction plans submitted to the Building Division as part of the Building Permit review. Where inconsistencies between the Planning approval and the</p>

	<p>construction plans exist, the Planning approval shall govern unless otherwise approved in writing by the Community Planning &amp; Building Director or their designee.</p> <p>When changes or modifications to the project are proposed, the Applicant shall clearly list and highlight each proposed change and bring each change to the City's attention. Changes to the project incorporated into the construction drawings that were not clearly listed or identified as a proposed change shall not be considered an approved change. Should conflicts exist between the originally approved project plans and the issued construction drawings that were not explicitly identified as a proposed change, the plans approved as part of the Planning Department Review, including any Conditions of Approval, shall prevail.</p>
11.	<p><b>Exterior Lighting.</b> Prior to the issuance of a building permit, the Applicant shall include in the construction drawings a comprehensive lighting plan including all exterior light fixtures and the manufacturer's specifications, including illumination information. All fixtures shall be shielded and down-facing.</p> <p>Exterior wall-mounted lighting shall be limited to 25 watts or less (incandescent equivalent or 375 lumens) per fixture and shall be installed no higher than 10 feet above the ground or walking surface.</p> <p>Landscape lighting shall not exceed 18 inches above the ground nor more than 15 watts (incandescent equivalent or 225 lumens) per fixture and shall be spaced no closer than 10 feet apart. Landscape lighting shall not be used as accent lighting, nor shall it be used to illuminate trees, walls, or fences. The purpose of landscape lighting is to safely illuminate walkways and entrances to the subject property and outdoor living spaces.</p>
12.	<p><b>Stone Facades (including chimneys).</b> Prior to the issuance of a building permit, the Applicant shall identify the masonry pattern for all stonework in the construction drawings. Stone facades shall be installed in a broken course/random or similar masonry pattern. Setting the stones vertically on their face in a cobweb pattern shall not be permitted. All stonework shall be wrapped around building corners and terminated at an inside corner or a logical stopping point that provides a finished appearance. Termination of stonework shall be subject to review and approval by the Community Planning &amp; Building Director or their designee.</p>
13.	<p><b>Wood Frame Windows.</b> Prior to the issuance of a building permit, the Applicant shall include the manufacturer's specifications for the approved wood frame windows in the construction drawings. Window material shall be consistent throughout the project. Windows approved with divided lights shall appear to be true divided lights, including internal and external mullions and muntins on insulated windows. Any window pane dividers that are snap-in or otherwise superficially applied are not permitted. The painted finish shall be matte or low gloss.</p>
14.	<p><b>Indemnification.</b> The Applicant agrees, at his or her sole expense, to defend, indemnify, and hold harmless the City, its public officials, officers, employees, and assigns from any liability; and shall reimburse the City for any expense incurred, resulting from, or in</p>

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	<p>connection with any project approvals. This includes any appeal, claim, suit, or other legal proceedings to attack, set aside, void, or annul any project approval. The City shall promptly notify the Applicant of any legal proceeding and cooperate fully in the defense. The City may, at its sole discretion, participate in any such legal action, but participation shall not relieve the Applicant of any obligation under this condition. Should any party bring any legal action in connection with this project, the Superior Court of the County of Monterey, California, shall be the situs and have jurisdiction for resolving all such actions by the parties hereto.</p>
15.	<p><b>Hazardous Materials Waste Survey.</b> Prior to the issuance of a demolition permit, the Applicant shall submit a hazardous materials waste survey to the Building Division in conformance with the Monterey Bay Unified Air Pollution Control District.</p>
16.	<p><b>Archaeological Report.</b> Prior to the issuance of a building permit, the Applicant shall submit an archaeological reconnaissance report prepared by a qualified archaeologist or another person(s) meeting the standards of the State Office of Historic Preservation. The Applicant shall adhere to any recommendations set forth in the archaeological report. All new construction involving excavation shall immediately cease if materials of archaeological significance are discovered on the site and shall not be permitted to recommence until a mitigation and monitoring plan is approved by the Planning Commission.</p>
17.	<p><b>Cultural Resources.</b> Throughout construction, all excavation activities shall immediately cease if cultural resources are discovered on the site, and the Applicant or his/her agent on the site shall immediately notify the City of Carmel Community Planning &amp; Building Department within 24 hours. Work shall not recommence until such resources are properly evaluated for significance by a qualified archaeologist. If the resources are determined to be significant, prior to the resumption of work, a mitigation and monitoring plan shall be prepared by a qualified archaeologist and reviewed and approved by the City of Carmel Community Planning and Building Director.</p> <p>If any human remains are found at any time during construction, work shall stop, and the applicant or his/her agent on the site shall immediately notify the Monterey County Coroner in compliance with applicable State requirements (California Public Resources Code (PRC) Section 5097.98).</p>
18.	<p><b>Truck Haul Route.</b> Prior to the issuance of a building permit, the Applicant shall submit for review and approval by the Community Planning &amp; Building Director, in consultation with the Public Works and Public Safety Departments, a truck-haul route and any necessary traffic control measures for the grading activities. The Applicant shall be responsible for ensuring adherence to the truck-haul route and implementation of any required traffic control measures.</p>
19.	<p><b>USA North 811.</b> Prior to any excavation or digging, the Applicant shall contact the appropriate regional notification center (USA North 811) at least two working days, but not more than 14 calendar days, prior to commencing that excavation or digging. No digging or excavation is authorized to occur on-site until the Applicant has obtained a</p>



	Ticket Number and all utility members have positively responded to the dig request. (Visit USANorth811.org for more information)
20.	<b>Conditions of Approval.</b> Prior to the issuance of a building permit, the Applicant shall print a copy of the Resolution adopted by the Planning Commission and signed by the property owner(s) on a full-size sheet within the construction plan set submitted to the Building Safety Division.
<b>Landscape Conditions</b>	
21.	<p><b>Landscape Plan Required.</b> Prior to the issuance of a building permit, the Applicant shall submit a landscape plan for review and approval by the Community Planning &amp; Building Department and the City Forester. The landscape plan shall be included in the construction drawings and will be reviewed for compliance with the landscaping standards contained in the Zoning Code, including, but not limited to, the following:</p> <ol style="list-style-type: none"> <li>1) All new landscaping shall be 75% drought-tolerant;</li> <li>2) Landscaped areas shall be irrigated by a drip/sprinkler system set on a timer; and</li> <li>3) The project shall meet the City's recommended tree density standards unless otherwise approved by the City based on on-site conditions.</li> </ol> <p>The landscape plan shall identify the location where new trees will be planted when new trees are required to be planted by the City code, the Forest and Beach Commission, or the Planning Commission.</p>
22.	<p><b>Tree Planting Requirements.</b> Prior to issuance of a building permit, the Applicant shall identify on the landscape plan the location, size, and species of required tree plantings. All new trees shall be installed prior to the final inspection. Trees shall be recorded and monitored for at least five years to ensure their establishment and growth to maturity. Trees that do not survive or are removed shall be replaced with new trees that are equivalent in size to the measured or projected growth of the original trees and shall be planted in the same location unless otherwise directed by the City Forester or Forest &amp; Beach Commission.</p>
23.	<p><b>Tree Removal Prohibited.</b> Throughout construction, the Applicant shall protect all trees identified for preservation by methods approved by the City Forester. Trees on or adjacent to the site shall only be removed upon the approval of the City Forester or Forest and Beach Commission.</p>
24.	<p><b>Tree Protection Measures.</b> Requirements for tree preservation shall adhere to the following tree protection measures on the construction site.</p> <ul style="list-style-type: none"> <li>• Prior to grading, excavation, or construction, the developer shall clearly tag or mark all trees to be preserved.</li> <li>• Excavation within 6 feet of a tree trunk is not permitted.</li> <li>• No attachments or wires of any kind, other than those of a protective nature, shall be attached to any tree.</li> <li>• Per Municipal Code Chapter 17.48.110, no material may be stored within the dripline of a protected tree, including the drip lines of trees on neighboring parcels.</li> </ul>



	<ul style="list-style-type: none"> <li>• Tree Protection Zone. The Tree Protection Zone shall be equal to dripline or 18 inches radially from the tree for every one inch of trunk diameter at 4.5 feet above the soil line, whichever is greater. A minimum of 4-foot-high transparent fencing is required unless otherwise approved by the City Forester. Tree protection shall not be resized, modified, removed, or altered in any manner without written approval. The fencing must be maintained upright and taught for the duration of the project. No more than 4 inches of wood mulch shall be installed within the Tree Protection Zone. When the Tree Protection Zone is at or within the drip line, no less than 6 inches of wood mulch shall be installed 18 inches radially from the tree for every one inch of trunk diameter at 4.5 feet above the soil line outside of the fencing.</li> <li>• Structural Root Zone. The Structural Root Zone shall be 6 feet from the trunk or 6 inches radially from the tree for every one inch of trunk diameter at 4.5' above the soil line, whichever is greater. Any excavation or changes to the grade shall be approved by the City Forester prior to work. Excavation within the Structural Root Zone shall be performed with a pneumatic excavator, hydro-vac at low pressure, or another method that does not sever roots.</li> <li>• If roots greater than 2 inches in diameter or larger are encountered within the approved Structural Root Zone, the City Forester shall be contacted for approval to make any root cuts or alterations to structures to prevent roots from being damaged.</li> <li>• If roots larger than 2 inches in diameter are cut without prior City Forester approval or any significant tree is endangered as a result of construction activity, the building permit will be suspended, and all work stopped until an investigation by the City Forester has been completed, and mitigation measures have been put in place.</li> </ul>
25.	<p><b>Foundation Work Near Significant Trees.</b> All foundations within 15 feet of significant trees shall be excavated by hand. If any tree roots larger than two inches (2") are encountered during construction, the City Forester shall be contacted before cutting the roots. The City Forester may require the roots to be bridged or may authorize the roots to be cut. If roots larger than two inches (2") in diameter are cut without prior City Forester approval or any significant tree is endangered as a result of construction activity, the building permit will be suspended and all work stopped until an investigation by the City Forester has been completed. Six inches (6") of mulch shall be evenly spread across the inside the dripline of all trees prior to the issuance of a building permit.</p>
<b>Environmental Compliance Conditions</b>	
26.	<p><b>Drainage Plan.</b> Prior to the issuance of a building permit, the Applicant shall submit for review and approval by the Community Planning &amp; Building and Public Works Departments a drainage plan that meets the requirements of the City's drainage guidance, SOG 17-07. At a minimum, new and replaced impervious area drainage must be dispersed around the site rather than focused on one corner of the property; infiltration features must be sized appropriately and located at least 6 feet from neighboring properties. The drainage plan shall include information on drainage from new impervious areas and semi-</p>

	pervious areas.
27.	<b>BMP Tracking Form.</b> Prior to issuance of a building permit, the Applicant shall submit for review and approval by the Community Planning & Building and Public Works Departments a completed BMP Tracking form.
28.	<b>Semi-Permeable Surfaces.</b> Prior to issuance of a building permit, the Applicant shall submit for review and approval by the Community Planning & Building and Public Works Departments cross-section details for all semi-permeable surfaces.
29.	<b>Erosion and Sediment Control Plan.</b> Prior to issuance of a building permit, the Applicant shall submit for review and approval by the Community Planning & Building and Public Works Departments an erosion and sediment control plan that includes locations and installation details for erosion and sediment control BMPs, material staging areas, and stabilized access.
30.	<b>Erosion Control in the Right-of-Way.</b> Prior to issuance of a building permit, the Applicant shall identify on the landscape plan any natural slope within the right-of-way immediately adjacent to the property where parking is not practical. Jute netting and a drought-tolerant ground cover to manage post-construction erosion control shall be installed. Plants installed within the drip line of trees shall be selected from the City's "List of Compatible Plants Under and Around Native Trees" in the Forest Management Plan. The Public Works Director, or their designee, may waive this requirement.
<b>Special Conditions</b>	
31.	<b>Pre-Construction Meeting.</b> Prior to the issuance of a building permit, the contractor overseeing the project shall schedule a pre-construction meeting with the <u>Project Planner</u> to review the approval conditions and expectations during construction.
32.	<b>Conditions of Approval Acknowledgement.</b> Prior to the issuance of a building permit revision, a completed <b>Conditions of Approval Acknowledgment</b> form shall be included in the construction drawings. The form shall be signed by the Property Owner, Applicant, and Contractor prior to the issuance of a building permit.
33.	<b>Copper Gutters &amp; Downspouts Not Permitted.</b> Prior to the issuance of a building permit, the applicant shall identify the material for gutters and downspouts in the construction drawings. The use of copper for gutters and downspouts is prohibited.
34.	<b>Construction Management Plan.</b> Prior to the issuance of a building permit, the Applicant shall submit a Construction Management Plan for review and approval by the Community Planning & Building Director.
35.	<b>Public Way Improvements.</b> Development projects involving substantial new or replacement construction shall include improvements in the public right-of-way adjacent to the building site to coordinate the design of the development with the design of City streets, sidewalks, walkways and infrastructure improvements and to enhance the overall appearance of the community. Prior to the issuance of a building permit, the applicant shall submit for review and approval by the Community Planning & Building Department and Public Works Department a design for public way improvements on San Carlos Street.
36.	<b>Landscaping within Required Setbacks.</b> Prior to the issuance of a building permit, the applicant shall submit for review and approval by the Community Planning & Building

	Department a final landscape and irrigation plan that includes landscaping within required setbacks.
37.	<b>Garage Ventilation.</b> Garages shall be ventilated to avoid the build-up of exhaust gases. When mechanical ventilation is used, noise mitigation measures shall be incorporated such as low-noise fans, insulated ductwork and vibration absorbing mounting systems. Ducts shall not exhaust toward any building openings or open space on any adjoining property nor toward any on-site or off-site open space, pathway, street, place or park accessible to the public. Venting to the roof is generally preferred. Plans for underground garages shall be reviewed to ensure accessibility for Police and Fire Department personnel during emergencies. To the extent possible, utility meters, vaults and connections should be located within garages or driveways and away from pedestrian walking surfaces.
38.	<b>Kitchens or Similar Facilities for Cooking.</b> No hotel units shall contain kitchens or similar facilities for cooking. A kitchen is defined as, <i>Any room or any part of a room designed, built, equipped, used, or intended to be used for the preparation of food and dishwashing, whether or not said room contains a cookstove or any other cooking appliance. A dining room, alcove, or similar room adjacent to or connected with a kitchen in which toasters, grills, percolators, and similar appliances are used shall not be deemed a kitchen.</i> (CMC 17.70)
39.	<b>Lot Line Adjustment.</b> Prior to the issuance of a building permit, the applicant shall prepare a final record of survey map and submit it to the Community Planning and Building Department for review and recordation with the Office of Monterey County.
40.	<b>Building Coverage Analysis.</b> Prior to the issuance of a building permit, the applicant shall prepare a comprehensive building coverage analysis including diagrams and submit it to the Community Planning and Building Department for review and approval.
41.	<b>Floor Area Reduction.</b> Prior to the issuance of a building permit, the applicant shall submit revised plans for review and approval by the Community Planning and Building Department that demonstrate a reduction in the building square footage on Lot 1 to comply with maximum floor area standards <a href="#">or submit revised plans with an alternative lot configuration that complies with maximum floor area standards.</a>

Acknowledgment and acceptance of conditions of approval:

<p>DocuSigned by:    <small>9505E1DE51E4467...</small>                  _____                  Property Owner Signature</p>	<p>CARRIE Theis                  _____                  Printed Name</p>	<p>4/15/2024                  _____                  Date</p>
<p>DocuSigned by:    <small>7ED16C3AF436423...</small>                  _____                  Applicant</p>	<p>Eric Miller                  _____                  Printed Name</p>	<p>4/13/2024                  _____                  Date</p>

PASSED, APPROVED, AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA this 10<sup>th</sup> day of April 2024, by the following vote:

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AYES: ALLEN, DELVES, KARAPETKOV, LEPAGE

NOES:

ABSENT:

ABSTAIN: LOCKE

APPROVED:

ATTEST:

DocuSigned by:  
  
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Michael LePage  
Chair

DocuSigned by:  
  
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Leah Young  
Planning Commission Secretary